IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.261 OF 2006

Ingole Laxman Shankar ...Petitioner
vs.
Keshav Govind Limaye & Ors. ...Respondents

Mr.V.S.Deokar with Mr.Laxman N. Bedekar for the Petitioner
Mr.Mandar Limaye for Respondent No.1.
Mr.D.R.Patil, A.G.P. for Respondent Nos.3 and 4.

CORAM: A.S.OKA,J.
DATE : MAY 4,2007.

P.C.:

1. The breach alleged is of the Judgment and Order dated 7th July 2006 passed by the Division Bench of this Court in Letters Patent Appeal No.56 of 2006. The allegation in the Contempt Petition is that in terms of the said order the Petitioner has not been paid backwages, the monthly salary and allowances.

2. It is not in dispute between the parties that the Contemnors have now paid the entire amount of backwages and monthly salary and allowances up to March 2007. It is also an admitted position that the Contemnors have paid a sum of Rs.15,000/- by way of costs of this Petition.

3. The learned Advocate for the Petitioner states that a part of the amount has been paid by the Contemnors by a cheque dated 23rd April 2007 in the sum of Rs.86,231/-. The learned Advocate for the Contemnors assures the court that as and when the cheque is presented by the Petitioner, the same will be

encashed. The statement made by the Advocate for the Contemnors is accepted.

4. Now, there is a substantial compliance with the order dated 7th July 2006. On the instructions of the Contemnors, their Advocate states that the Contemnors will continue to regularly pay monthly salary and allowances payable to the Petitioner in terms of the order dated 7th July 2006.

5. My attention has been invited to the Affidavit filed by one Shri Ravindra Arvind Limaye, Vice Chairman of Sudhagad Education Society. In clause (1) of the said Affidavit he has tendered an unconditional apology. The learned Advocate for the Contemnor No.1 states that even the said Contemnor tenders an apology to this court.

6. As stated earlier, substantial compliance has been made by the first Contemnor. Moreover, amount of costs in the sum of Rs.15,000/- is paid to the Petitioner. An assurance has been given by the first Contemnor that the salary and allowances will be regularly paid to the Petitioner. Apology tendered by the first Contemnor deserves to be accepted and is hereby accepted.

7. In view of what is stated above, contempt notice issued to the Contemnors is discharged. Petition is disposed of.

JUDGE